

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

CASE NO: 08-04237 (ESL)

CHAPTER 13

IN THE MATTER OF:
ORLANDO MARTINEZ MERCADO
JOHANA RIVERA SANTIAGO
Debtors

NOTICE OF POST CONFIRMATION MODIFICATION OF PLAN

TO THE HONORABLE COURT:

COME NOW, debtors through the undersigned attorney and respectfully state, allege and pray as follows:

1. That debtors have filed this amended Post Confirmation Modification of Chapter 13 Plan dated 11/20/08 with this notice.

2. The reason for this PCM Plan is to increase the base, from \$12,000.00 to \$13,800.00

NOTICE

Within twenty (20) days after service as evidence by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the objection will be deemed unopposed and may be granted unless: (1) the requested relief is forbidden by law; (2) The requested relief is against public policy; or (3) in the opinion of the Court, the interest of justice requires otherwise. If you file a timely response, the court may in its discretion schedule a hearing.

WE CERTIFY, that on this same date and by regular US Mail, copy of this Notice has been sent to Alejandro Oliveras, Esq., Chapter 13 Trustee, P.O. Box 9024062, San Juan, PR 00902-4062 and to all interest parties stated on attached Exhibit "A".

Respectfully Submitted,

In San Juan, Puerto Rico this November 21, 2008.

JAIME RODRIGUEZ RODRIGUEZ
Electronically Filed by
Attorney for debtor(s)
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UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

BK. CASE # 08-04237 (ESL)

CHAPTER 13

JUAN RE ORLANDO MARTINEZ MERCADO
JOHANA RIVERA SANTIAGO
DEBTOR(S)

NOTICE: The following plan contains provisions which may significantly affect your rights. You should read this document carefully and discuss it with your attorney when confirmed. The plan will bind the debtor and each creditor to its terms. Objections must be filed in writing with the Court and served upon the debtor(s), debtor's counsel, the trustee and other entity designated by the Court, at the 341 meeting of creditors or not less than twenty (20) days prior to the scheduled confirmation hearing. For post confirmation Plan Modifications, objections must be filed and notified in the same manner within twenty (20) days from its notification. This plan does not allow claims. Any party entitled to receive distributions from the Trustee must file a proof of claim. The Trustee will pay the allowed claims, as filed, provided for in the plan, unless disallowed or expressly modified by the Court and / or the terms of the plan. If no claim is filed, the Trustee will not pay a creditor provided for in the plan, unless ordered by the Court. If the Trustee is to make POST-PETITION REGULAR MONTHLY PAYMENTS to any Secured obligation, then a proof of claim must be filed including the following information: account number, address, due date and regular monthly payment. Secured creditor must notify any change in the monthly payment, three (3) months prior to the effective date of new payment. Those post-petition monthly payments will not exceed the life of the plan. See the notice of commencement of case for 341 meeting date and claims bar date. The latter is the date by which a proof of claim must be filed in order to participate of the plan distribution.

1 The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee by payroll deductions, as hereinafter provided in the PAYMENT PLAN SCHEDULE. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

2 The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

3 The Confirmation Order will not vest property of the Estate on Debtor(s) until the Order discharging Debtor(s) is entered.

PLAN DATED: ☒ PRE ☒ POST-CONFIRMATION
1. PAYMENT PLAN SCHEDULE
3. AMENDED PLAN DATED: November 20, 2008
FILED BY ☒ DEBTOR ☐ TRUSTEE ☐ UNSECURED CREDITOR

III. DISBURSEMENT SCHEDULE SEQUENCE

A. SECURED CLAIMS

☒ Debtor represents that there are no secured claims. Secured creditors will retain their liens and shall be paid as follows:

☐ ADEQUATE PROTECTION PAYMENTS Cr \$

☒ Trustee will pay SECURED ARREARS

Cr Doral Bank POC B \$ 279
Cr Doral Bank POC T-2 \$ 859
Cr Acct \$

☐ Trustee will pay REGULAR MONTHLY PAYMENTS:

(Please refer to the above related notice, for important information about this provision)

Cr Acct Monthly Pymt \$
Cr Acct Monthly Pymt \$

☐ Trustee will pay IN FULL Secured Claims

Cr \$
Cr \$
Cr \$

☐ Trustee will pay VALUE OF COLLATERAL

Cr \$
Cr \$
Cr \$

☐ Secured Creditor's interest will be insured. INSURANCE POLICY will be paid through plan

☒ Debtor SURRENDERS COLLATERAL TO Lien Holder COOP A/C RICO DAIRY

☒ Debtor will maintain REGULAR PAYMENTS DIRECTLY to

DORAL BANK

☒ B. PRIORITIES The Trustee will pay \$507 priorities in accordance with the law (§1322 (a)(2))

☒ C. UNSECURED PREFERRED Plan ☐ Classifies ☒ Does not Classify Claims

☐ Class A ☐ Co-debtor Claims ☐ Pay 100% / ☐ Pay Ahead
☐ Class B ☐ Other Class
Cr \$
Cr \$

☐ D. GENERAL UNSECURED NOT PREFERRED (Case Liquidation Value = \$)

☐ Will be paid 100% plus % Legal Interest ☒ Will be paid Pro-Rata from any remaining funds

OTHER PROVISIONS:

Signed

DEBTOR

ORLANDO MARTINEZ MERCADO

JOINT DEBTOR

JOHANA RIVERA SANTIAGO

ATTORNEY FOR DEBTOR

S/MAINE RODRIGUEZ MARRIPEZ USD080314

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OFFICE MAX
PO BOX 60107
CITY OF INDUSTRY, CA 91716-0107

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